

# **EXHIBIT 5**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

SIRI DIAZ, CAROLYN SIEGEL, TALIA  
BUMB, BLERTA VIKKI, DANIELLE  
OWIMRIN, on behalf of themselves and all others  
similarly situated,

Plaintiffs,

-against-

SCORES HOLDING COMPANY, INC.; GO  
WEST ENTERTAINMENT, INC. a/k/a SCORES  
WEST SIDE; and SCORES ENTERTAINMENT,  
INC., a/k/a SCORES EAST SIDE.

Defendants.

No. 07-8718 (RMB)

~~PROPOSED~~ CASE  
MANAGEMENT PLAN

MEMO ENDORSED

Supp  
2+3

The following ~~Proposed~~ Case Management Plan is entered after consultation with the parties. This Plan is also a Rule 16 and Rule 26(f) scheduling order as required by the Federal Rules of Civil Procedure.

1. Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the parties held a conference on November 26, 2007. Rex Burch, Justin M. Swartz, and Tammy Marzigliano attended for Plaintiffs. Jerrold Goldberg and Neil Capobianco attended for Defendants Scores Holding Company, Inc. and Go West Entertainment, Inc., a/k/a Scores West Side. Counsel for Defendant Scores Entertainment Inc., a/k/a Scores East Side has not appeared.
2. The parties agreed that joinder of additional parties (other than any parties who opt in pursuant to 29 U.S.C. §216(b), and amendment of the pleadings, will be completed by January 31, 2008.
3. The parties discussed the nature and basis of their claims and defenses and the possibilities for a prompt settlement. The parties also discussed the subjects on which they

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- b. Final Pre-Trial Conference \_\_\_\_\_
- c. Trial \_\_\_\_\_
- d. Other Settlement Conference w. the principals

on June 5, 2008 @  
9:30 AM

By: /s/ Justin M. Swartz  
Justin M. Swartz (JS-7989)

By: /s/ Jerrold Goldberg  
Jerrold Goldberg (JG-7471)

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*Attorneys for Defendants Scores Holding  
Company, Inc. and Go West Entertainment,  
Inc. aka Scores West Side*

Dated: 11/28/07

*Attorneys for Plaintiffs and the Putative  
Class*

Dated: 11/28/07

Dated: New York, New York  
11/29/, 2007

SO ORDERED  
RMIS  
U.S.D.J.